

NAYS—6.

Calhoun, Jerdone, Shannon,
Houston of Wheeler, Peacock, Traylor.

Senator Hall introduced the following resolution:

Resolved, That the President of the Senate be authorized to employ the services of J. P. C. Whitehead so long as his services are needed, to assist the secretaries in the discharge of their duties.

Adopted unanimously.

On motion of Senator Houston of Wheeler, Senate joint resolution No. 1, proposing an amendment to section 12, article 8, was taken up and made special order for Wednesday next after morning call, and from day to day till disposed of.

On motion of Senator Shannon, "One hundred copies of Senate bill No. 195. "An act to provide for the classification, sale and lease of lands heretofore or hereafter surveyed and set apart for the benefit of the common school, University, Lunatic, Blind, Deaf and Dumb, and Orphan Asylum funds," were ordered printed for the use of the Senate.

On motion of Senator Perry, Senate bill No. 37, "An act to amend article 636, title 8, chapter 3 of the Code of Criminal Procedure of the State of Texas," was taken up out of its regular order and made special order for Wednesday after morning call.

Senator Stinson moved to reconsider the vote engrossing Senate bill No. 48, and to lay that motion on the table.

Adopted.

On motion of Senator Traylor, Senate bill No. 193, "An act to provide for the correction and revision of the abstracts of located, titled and patented lands in Texas, was taken up out of its regular order and read second time, with committee amendments.

The amendments were lost.

Senator Traylor offered the following amendment:

Whereas, It is important that this bill pass at this session of the Legislature, an imperative public necessity and emergency exists for the passage of this act; therefore the rule requiring bills to be read on three several days be and the same is hereby suspended.

Adopted, and bill ordered engrossed.

On motion of Senator Traylor,

The constitutional rule was suspended and the bill placed on third reading by the following vote:

YEAS—22.

Bell, Getzendaner, Pope,
Calhoun, Glasscock, Randolph,
Camp, Hall, Shannon,
Davis, Houston of Wheeler, Stinson,
Evans, Jerdone, Terrell,
Farrar, Johnson, Traylor,
Fowler, Perry, Woods,
Garrison,

NAYS—none.

ABSENT, NOT VOTING.

Peacock.

The bill was read third time.

Senator Terrell offered the following amendment:

Insert in line 4, after the word "act," the words "shall take effect," and strike out the words "the passage of," in third line

Adopted by the following vote:

YEAS—22.

Bell, Getzendaner, Pope,
Calhoun, Glasscock, Randolph,
Camp, Houston of Wheeler, Shannon,
Davis, Jerdone, Stinson,
Evans, Johnson, Terrell,
Farrar, Peacock, Traylor,
Fowler, Perry, Woods,
Garrison,

NAYS—none.

ABSENT, NOT VOTING.

Hall.

The bill passed.

On motion of Senator Garrison,

The Senate adjourned till 10 o'clock Monday morning.

TWENTY-NINTH DAY.

SENATE CHAMBER, }
AUSTIN, February 16, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

On motion of Senator Kleberg,

The reading of the journal of Saturday was dispensed with.

On motion of Senator Hall,

Senator Bell was excused for the day.

PETITIONS AND MEMORIALS.

By Senator Kleberg:

Memorial of J. W. Dickey, of Wilson county, asking relief.

Referred to Committee on State Affairs.

Memorial of citizens of Live Oak county, asking that civil and criminal jurisdiction of the county court of Live Oak county be restored.

Referred to Judiciary Committee No. 1.

By Senator Houston of Bexar:

Memorial of the county officers of Kerr county, protesting against the reduction of the frontier forces.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, February 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 375, entitled "An act to prescribe the time of holding the district courts in the twenty-first judicial district, so as to allow additional time for holding said court in Burleson county," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

By Senator Getzendaner:

COMMITTEE ROOM,
AUSTIN, February 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Claims and Accounts, to whom was

referred Senate bill No. 190, entitled "An act for the relief of Thomas J. Hunter, Thaddeus W. Hunter and Robert H. Hunter, for stock, corn and hogs consumed or destroyed by the Texas army in 1836," have carefully examined the same, and instruct me to report the same back, with the recommendation that it do not pass. So long a time having elapsed since the transactions took place out of which this claim grew, we think it injudicious on the part of the State now to open the door to admit it.

All of which is respectfully submitted.

GETZENDANER, Chairman.

COMMITTEE ROOM,

AUSTIN, February 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred Senate bill No. 208, entitled "An act for the relief of D. C. B. Dunlap, and to make appropriation therefor," have carefully examined the same, and instruct me to report the same back, with the recommendation that it do not pass.

All of which is respectfully submitted.

GETZENDANER, Chairman.

BILLS AND RESOLUTIONS.

By Senator Camp:

"An act to amend title 17, chapter 9 of Revised Statutes, by adding thereto article 474a."

Referred to Judiciary Committee No. 1.

By Senator Evans (by request):

"An act to regulate proceedings in suits and prosecution for libel."

Referred to Judiciary Committee No. 2.

By Senator Fowler:

"An act to repeal an act granting a land certificate of 1280 acres to the surviving soldiers of the Texas revolution," to repeal an act approved April 26, 1879."

Referred to Committee on Public Lands.

The President appointed Senators Davis, Traylor and Perry, on the part of the Senate, on the free conference committee on substitute House bills Nos. 61, 63, 104, 161, "An act to amend section 71 of an act to establish and maintain a system of public free schools," etc.

Substitute House bill No. 48, "An act to amend sections 1 and 5 of an act entitled 'an act to regulate the appointment and define the duties of notaries public, to require them to procure and use legal seals, and punish them for failing to do so,'" etc., was laid before the Senate, the House having refused to concur in the Senate amendment.

On motion of Senator Shannon,

The Senate refused to recede from its amendment, and a free conference committee was asked for and appointed.

On the part of the Senate the President appointed Senators Shannon, Houston of Bexar, and Davis on this committee.

The hour having arrived for the sitting of the committee of the whole,

The Senate went into committee of the whole on The substitute for Senate bill No. 7, Senate bill No. 105, "the Land bill," Senator Pope, chairman.

IN THE SENATE.

The President in the chair.

Senator Pope, chairman of the committee of the whole, reported progress, and asked leave to sit again to-morrow morning after the morning call.

The report was adopted.

The President referred House bill No. 105, "An

act to create the county of Val Verde, and to provide for its organization," to Committee on Counties and County Boundaries.

The President laid before the Senate, as a special order, Senate bill No. 84, "An act to amend article 178, chapter 4, title 6 of the Penal Code, so as to prevent selling liquors on election day."

Read third time and passed.

Senator Jones, by leave, introduced a joint resolution authorizing the Capitol Board to modify the contract for building the new State Capitol so as to substitute granite for limestone for the outward walls of the superstructure.

Referred to Committee on Public Buildings and Grounds.

Senator Davis moved to postpone the regular order of business to take up Senate bill No. 30, "An act to prescribe the times and places of holding the Supreme Court and Court of Appeals."

Adopted, and bill taken up.

On motion of Senator Davis,

The bill was indefinitely postponed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage of the following bills:

Senate bill No. 79, adding an amendment, "An act requiring the Comptroller of Public Accounts, Commissioner of the General Land Office and State Treasurer to employ females, when their services can be had, to fill one-half the clerkships in the several departments under the control of these officers."

Substitute House bill No. 126, "An act to amend article 358, of chapter 3, title 11 of the Penal Code of the State of Texas."

House bill No. 174, "An act for the relief of Virginia E. Littlepage, and to authorize the county court of Travis county to issue to her letters of administration on the estate of her father, Caleb V. Littlepage."

A. D. SADLER, Chief Clerk.

Substitute Senate bills Nos. 160 and 161, "An act to amend articles 595 and 610 of the Revised Statutes of the State of Texas," was taken up as regular business on the President's table and read third time.

On motion of Senator Calhoun,

The bill was postponed until Wednesday morning after the special order for that day, etc.

On motion of Senator Johnson,

The regular order of business was postponed, and Senate bill No. 153, to be entitled "An act to amend article 4360 of 'an act to amend articles 4360, 4361, 4366, 4367, 4370, 4371, 4374, 4375, 4379, 4384, 4387, 4389 and 4390 of title 87, chapter 1, and to add thereto articles 4390a, 4390b and 4390c,'" etc., was taken up and read second time, with majority and minority reports.

Senator Woods moved to substitute the minority for the majority report on the bill.

Senator Davis moved the previous question.

Seconded, and main question ordered.

Minority report adopted by the following vote, which was unfavorable, and defeats the bill:

YEAS—16.

Calhoun,	Jerdone,	Shannon,
Davis,	Jones,	Stinson,
Getzendaner,	Knittel,	Terrell,
Hall,	Peacock,	Traylor,
Houston of Bexar,	Pfeuffer,	Woods.
Houston of Wheeler,		

NAYS—10.

Camp,
Evans,
Fowler,
Glasscock,

Johnson,
Kilgore,
Kleberg,

Perry,
Pope,
Randolph.

The President took up and referred the following House bills and resolutions, to-wit:

Substitute House bill No. 126, to be entitled "An act to amend article 353 of chapter 3, title 11 of the Penal Code of the State of Texas," to Judiciary Committee No. 1.

House bill No. 174, to be entitled "An act for the relief of Virginia E. Littlepage, and to authorize the county court of Travis county to issue to her letters of administration on the estate of her father, Caleb V. Littlepage," to Judiciary Committee No. 2.

House concurrent resolution requesting a survey and report of the navigable condition of West Galveston and San Louis bays by the United States government, to Committee on Commerce and Manufactures.

Senate bill No. 79, "An act requiring the Comptroller of Public Accounts, Commissioner of the General Land Office and State Treasurer to employ female clerks, when their services can be had, to fill one-half the clerkships in the several departments under the control of these officers," was laid before the Senate with House amendments.

Senator Terrell moved to postpone the further consideration of the bill and amendments indefinitely.

Senator Houston of Bexar raised the point of order that action on the bill and amendments could not be postponed, and moved that the House amendments be concurred in.

The point of order was not sustained.

Senator Davis moved the previous question on the motion of Senator Terrell.

Senator Houston of Bexar moved a call of the Senate.

Call sustained.

The Senate call was completed, and

Senate declared full.

The previous question was seconded and main question ordered, and

The motion to postpone indefinitely was adopted by the following vote:

YEAS—15.

Calhoun,
Camp,
Davis,
Glasscock,
Hall,

Jerdone,
Jones,
Kilgore,
Kleberg,
Knittel,

Pfeuffer,
Pope,
Randolph,
Terrell,
Woods.

NAYS—11.

Evans,
Fowler,
Getzendaner,
Houston of Bexar,

Houston of Wheeler,
Johnson,
Peacock,
Perry,
Shannon,
Stinson,
Traylor.

Senator Calhoun entered a motion to reconsider vote just taken.

Senator Stinson moved to adjourn till 10 o'clock to-morrow morning.

Lost by the following vote:

YEAS—11.

Calhoun,
Evans,
Fowler,
Getzendaner,

Houston of Bexar,
Johnson,
Peacock,
Perry,
Shannon,
Stinson,
Traylor.

NAYS—15.

Camp,
Davis,
Glasscock,
Hall,
Houston of Wheeler,

Jerdone,
Jones,
Kilgore,
Kleberg,
Knittel,

Pleuffer,
Pope,
Randolph,
Terrell,
Woods.

Senator Davis called up the motion of Senator Calhoun, to reconsider the vote postponing consideration of the bill indefinitely, and moved to lay that motion on the table.

Adopted by the following vote:

YEAS—15.

Camp,
Davis,
Glasscock,
Hall,
Houston of Wheeler,

Jerdone,
Jones,
Kilgore,
Kleberg,
Knittel,

Pfeuffer,
Pope,
Randolph,
Terrell,
Woods.

NAYS—11.

Calhoun,
Evans,
Fowler,
Getzendaner,

Houston of Bexar,
Johnson,
Peacock,
Perry,

Shannon,
Stinson,
Traylor.

Senator Camp made the following privileged reports:

COMMITTEE ROOM,
AUSTIN, February 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 157, being "An act to amend articles 1770, 1771, 1772, 1773, 1777 and 1780 of the Revised Statutes, so as to better regulate the law of escheats," and find the same correctly engrossed.

CAMP, for Committee.

COMMITTEE ROOM,
AUSTIN, February 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared committee substitute for Senate bill No. 48, being "An act to punish fishing and hunting on the enclosed lands of another," and find the same correctly engrossed.

All of which is respectfully submitted.

CAMP, for Committee.

COMMITTEE ROOM,
AUSTIN, February 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 173, being "An act to repeal article 4112 of the Revised Civil Statutes," and find the same correctly engrossed.

CAMP, for Committee.

Senator Pope, by leave, introduced the following bills:

"An act to amend an act to establish uniform weights per bushel of wheat, corn and other products of the State."

Referred to Committee on State Affairs.

"An act to amend title 26, chapter 7 of the Revised Civil Statutes."

"An act to amend title 29, chapter 12 of the Revised Civil Statutes."

Both bills referred to Judiciary Committee No. 2.

By Senator Jones:

"An act to amend article 4237 of the Revised Statutes."

Referred to Committee on Internal Improvements.

On motion of Senator Terrell,

The Senate adjourned until ten o'clock to-morrow morning.